

# CITY OF ROCKPORT

## MINUTES

### CITY COUNCIL REGULAR MEETING

6:30 p.m., Tuesday, May 9, 2023

Rockport Service Center, 2751 State Highway 35 Bypass

Members of the public could view the meeting via live stream. Public participation is valued and citizens wishing to express their views on any topic or agenda item could electronically submit a Citizen Participation Form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation> or scanning the QR code provided on the Agenda, or if attending the meeting in person register before the meeting begins. Using the same form, citizens could also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The comments were read at the meeting.

On the 9<sup>th</sup> day of May 2023, the City Council of the City of Rockport, Aransas County, Texas, convened in a Regular Meeting at 6:30 p.m., at the Training Room of the Rockport Service Center and notice of meeting giving time, place, date, and subject was posted as described in V.T.C.A., Government Code § 551.041.

#### CITY COUNCIL MEMBERS PRESENT

Mayor Tim Jayroe  
Mayor Pro-Tem Andrea Hattman, Ward 4  
Council Member Katy Jackson, Ward 1  
Council Member Danielle Hale, Ward 2  
Council Member Brad Brundrett, Ward 3

#### CITY COUNCIL MEMBER(S) ABSENT

#### STAFF MEMBERS PRESENT

City Manager Vanessa Shrauner  
Assistant to City Manager Kimberly Henry  
City Attorney Brad Bullock  
City Secretary Teresa Valdez  
Director of Public Works and Building & Development Services Mike Donoho  
Chief of Police Greg Stevens  
Parks & Leisure Services Director Gene Camargo  
Information Technology Director Bob Argetsinger  
Communications Center Director Lee Brown  
Building & Development Services Assistant Director & Community Planner Carey Dietrich  
Assistant Director of Construction Development Support Ryan Picarazzi  
Public Works Administrative Supervisor Candace Brannan  
Public Works Administrative Coordinator Joanna Zamudio  
Public Works Administrative Technician Stacy Cantu  
Public Works Utilities Maintenance Technician John Howell  
Public Works Utilities Maintenance Technician Adam Eimer  
Public Works Utilities Maintenance Technician John Pebsworth  
Wastewater Maintenance Technician Charles Ivey  
Public Works Utilities System Production Supervisor Shaun Woodruff  
Wastewater Utilities System Production Supervisor Jeffrey Olson

#### ELECTED OFFICIALS PRESENT

## Opening Agenda

### **1. Call meeting to order.**

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Jayroe at 6:30 p.m. on Tuesday, May 9, 2023, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

### **2. Pledge of Allegiance.**

Council Member Jackson led the Pledge of Allegiance to the U.S. flag.

### **3. Proclamation: National Kids to Parks Day – May 20, 2023.**

Mayor Jayroe proclaimed May 20, 2023, as National Kids to Parks Day in Rockport, Texas.

### **4. Proclamation: Historic Preservation Month -May 2023.**

Mayor Jayroe proclaimed May as Historic Preservation Month in Rockport, Texas. Mayor Jayroe presented the Proclamation to Pam Stranahan, Vice President of the Aransas County History Center and Brad Brundrett, member of the Aransas County Historical Society.

### **5. Proclamation: Public Works Week – May 21-27, 2023.**

Mayor Jayroe proclaimed the week of May 21-27, 2023, as Public Works Week in Rockport, Texas. Mayor Jayroe presented the Proclamation to Mike Donoho, Director of Public Works and Building & Development Services and several Public Works employees.

### **6. Citizens to be heard.**

At this time, comments limited to three (3) minutes will be taken from the audience from persons who have signed the speaker's card located on the table in the back of the Training Room of the Service Center and delivered to the City Secretary before the meeting begins, or written comments received by 4:00 p.m. on the day of the meeting, on any Agenda item or any subject matter, will be read at the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited, disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

There were no citizen comments.

## Consent Agenda

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

### **7. Deliberate and act on approval of City Council Special Meeting Minutes of April 21, 2023, and City Council Regular Meeting Minutes of April 25, 2023.**

- 8. Deliberate and act on second and final reading of an Ordinance amending the official zoning map as stipulated under Article 4.1 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from Planned Unit Development (P.U.D) with R-5 (2<sup>nd</sup> Multi-Family Dwelling District) use for property located at 1724 FM 3036; also known as La Salle Estates P.U.D., City of Rockport, Aransas County, Texas, to Planned Unit Development (P.U.D.) Single Use Overlay District containing 80 attached single-family dwellings (townhouses) along with such features and amenities; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

Mayor Jayroe called for requests to remove any item from the Consent Agenda for separate discussion.

Mayor Jayroe read the caption of the Ordinance listed as Consent Agenda Item No. 8.

**MOTION:** Council Member Brundrett moved to approve the Consent Agenda Items, as presented. Council Member Jackson seconded the motion. Motion carried 4-0.

**FOR MOTION:** Council Member Brundrett, Council Member Jackson, Council Member Hale and Mayor Jayroe.

**ABSTAIN:** Mayor Pro-Tem Hattman

Mayor Pro-Tem Hattman had filed with the City Secretary an Affidavit for Conflict of interest on Consent Agenda Item No. 8.

### **Public Hearing**

- 9. Conduct a Public Hearing to consider a request from Jessica Pham and James M. Elkins for permanent closure/abandonment/vacation of a portion of Sweet Bay Avenue, lying between Lot No. 32, Block No. 4, Denver Heights Subdivision, and Lot No. 17, Block No. 7, Denver Heights Subdivision, City of Rockport, Aransas County, Texas.**

Mayor Jayroe opened the Public Hearing at 6:42 p.m.

City Secretary Teresa Valdez explained the City had received a request for permanent closure and abandonment of a portion of Sweet Bay Avenue from Jessica Pham and James M. Elkins. Ms. Valdez stated the City Ordinance requires a Public Hearing is held on such requests. Ms. Valdez added that the appraisal had not been received so the Agenda Item on the first reading of the Ordinance vacating the property would have to be postponed.

There were no public comments.

Mayor Jayroe closed the Public Hearings at 6:44 p.m.

### **Regular Agenda**

- 10. Deliberate and act on first reading of an Ordinance authorizing the closing, vacating and abandonment of a portion of Sweet Bay Avenue, lying between Lot No. 32, Block No. 4, Denver Heights Subdivision, and Lot No. 17, Block No. 7, Denver Heights Subdivision,**

**City of Rockport, Aransas County, Texas, according to the plat recorded in Volume 1, Page 9, Real Public Records of Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment; authorizing the Mayor to execute a quitclaim deeds for the 0.193 acre or 8419 square feet to be closed, vacated and abandoned; and providing for an effective date.**

City Secretary Teresa Valdez informed the Council the appraisal had not been received. Ms. Valdez recommended City Council postpone action on this item until the appraisal is received.

**MOTION:** Council Member Jackson moved to postpone first reading of an Ordinance authorizing the closing, vacating and abandonment of a portion of Sweet Bay Avenue, lying between Lot No. 32, Block No. 4, Denver Heights Subdivision, and Lot No. 17, Block No. 7, Denver Heights Subdivision, City of Rockport, Aransas County, Texas, according to the plat recorded in Volume 1, Page 9, Real Public Records of Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment; authorizing the Mayor to execute a quitclaim deeds for the 0.193 acre or 8419 square feet to be closed, vacated and abandoned; and providing for an effective date; until the appraisal is received. Council Member Brundrett seconded the motion. Motion carried unanimously.

**11. Deliberate and act on a Resolution authorizing the Mayor to enter into negotiations with PGAL for engineering services and Teal Construction for contractor services to provide underground fiber to the new City Hall.**

Assistant to the City Manager Kimberly Henry stated the new City Hall included just connecting to a network provider for internet services and as a new scope of work, the staff would like to consider underground fiber to connect to our existing system that currently ends at the Public Safety Center. Ms. Henry said the engineers have quoted \$6,000 for this project and the estimated construction cost is between \$8,000- \$12,000 for the City's portion. Ms. Henry informed the City Council there are sufficient funds within the existing City Hall Project Soft Costs; however this is a new scope for the use of the funds, staff is seeking Council approval.

**MOTION:** Mayor Pro-Tem Hattman moved to adopt the Resolution authorizing the Mayor to enter into negotiations with PGAL for engineering services and Teal Construction for contractor services to provide underground fiber to the new City Hall. Council Member Hale seconded the motion. Motion carried unanimously.

**12. Deliberate and act on first reading of an ordinance of the City Council of the City of Rockport, Texas authorizing the acceptance of credit cards for payment of fees, fines, court costs and other charges; providing for a processing fee for payment of fees, fines, court costs and other charges by credit card; providing for a service charge if a payment is not honored; providing for severability; providing a repealer clause; finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law; and establishing an effective date.**

Assistant to the City Manager Kimberly Henry stated staff have been looking at ways to save money. Ms. Henry explained the City has been accepting payments for utility services, building permits, and court fines by debit/credit cards for many years and the fee for processing was paid by the City. Ms. Henry said staff is proposing these processing fees be paid by the customer.

Brief discussion was held among Council and Ms. Henry.

**MOTION:** Council Member Brundrett moved to approve the first reading of an ordinance of the City Council of the City of Rockport, Texas authorizing the acceptance of credit cards for payment of fees, fines, court costs and other charges; providing for a processing fee for payment of fees, fines, court costs and other charges by credit card; providing for a service charge if a payment is not honored; providing for severability; providing a repealer clause; finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law; and establishing an effective date. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

### **13. Deliberate and act on elimination and reclassification of positions within the Public Works Department**

Public Works and Building & Development Services Director Mike Donoho addressed the Council. Mr. Donoho stated during the budget preparation for Fiscal Year 2022-2023 there were changes made to the organizational chart to cover senior level retirements that occurred over the last year. Mr. Donoho explained with the recent departure of an Assistant Director, he met with the City Manager to review daily operations and management oversight of the Department. Mr. Donoho called the Council's attention to the recommended changes shown on the Agenda Cover sheet for this Agenda Item. Mr. Donoho said there is total savings of \$61,000.00. Mr. Donoho added the City Manager has encouraged him to work with the individuals on receiving supervisory and managerial training.

Discussion was held among Council, Mr. Donoho and City Manager Vanessa Shrauner.

**MOTION:** Council Member Hale moved to approve the recommended position changes, as presented. Council Member Jackson seconded the motion. Motion carried unanimously.

### **14. City Manager Report: A. Projects.**

City Manager Shrauner said there was not a need for an Executive Session tonight.

Ms. Shrauner called the Council's attention to handouts she had distributed to them:

- 1) Road repair schedule map – all Wards are represented.
- 2) Budget Calendar – we are on target.
- 3) HOT Fund Applications have been mailed. The City Council had approved \$500,000 for the Downtown Restrooms and Kiosk and she will be coming back to Council requesting HOT funds year after year until the project is complete. Ms. Shrauner called the Council's attention to the picture of the proposed Downtown Restrooms and stated she was excited that the seating will be made from recycled wind turbine blades.

Brief discussion was held among Council and Ms. Shrauner.

### **15. Reports from Council.**

**At this time, the City Council will report/update on activities in respective Wards, and all committee assignments, which may include the following: Aransas County Alliance Local Government Corporation; Aransas Pathways Steering Committee; Building and Standards Commission; Coastal**

**Bend Bays and Estuaries Program; Coastal Bend Council of Government; Coastal Bend Mayors Group; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; YMCA Development Committee; Texas Maritime Museum, Fulton Mansion, Rockport Center for the Arts, Aransas County, Aransas County Independent School District, Aransas County Navigation District, Town of Fulton, and Texas Municipal League. No formal action can be taken on these items at this time.**

Council Member Hale reported she had attended the Stormwater Meeting and attended the Hurricane Conference on May 3-4, 2023. Council Member Hale thanked staff who had attended the Hurricane Conference.

Council Member Brundrett reported May 15, 2023 at 10:00 a.m. is the ribbon cutting for the Key Allegro Bridge. Council Member Brundrett asked Mr. Donoho to give an update on the Orleans Street Drainage Project.

Mr. Donoho said a pre-construction meeting with Guerra Construction had been held this morning and we should start seeing movement on the project beginning June 1, 2023.

Mayor Pro-Tem Hattman asked Mr. Donoho to give an update on the Rockport Country Club Drainage Project.

Mr. Donoho said the close-out meeting had been held with the engineer but we do not have the final budget yet.

Mayor Jayroe reported he had attended the Stormwater Meeting where drainage issues were discussed and it's nice to see all the entities working together.

Council Member Jackson stated this was her last City Council Meeting and it has been an honor and privilege to sit in the Ward 1 seat. Council Member Jackson said she was able to get a lot of work done in Ward 1: Rockport Cultural Arts District has exploded and Downtown Second Saturdays are taking off and getting better and better. Council Member Jackson expressed it has been a joy, privilege and honor to serve as a City Council Member and City staff has been great to work with.

### **Executive Session**

City Council will hold an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

- 16. Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Concho Street & General Land Office (GLO) drainage projects.**
- 17. Section 551.072 Deliberations about Real Property to deliberate the purchase, exchange, lease, or value of real property: Portion of Sweet Bay Avenue, lying between Lot No. 32, Block No. 4, Denver Heights Subdivision, and Lot No. 17, Block No. 7, Denver Heights**

**Subdivision, City of Rockport, Aransas County, Texas, according to the plat recorded in Volume 1, Page 9, Real Public Records of Aransas County, Texas.**

**Open Session**

City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

No Executive Session was held.

**26. Adjournment.**

At 7:05 p.m., Council Member Jackson moved to adjourn. Motion was seconded by Council Member Brundrett. Motion carried unanimously.



**APPROVED:**

  
Tim Jayroe, Mayor

**ATTEST:**

  
Teresa Valdez, City Secretary